

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

IN RE:	)	
	)	Case No. 03-11489 (KG)
PLASSEIN INTERNATIONAL	)	Chapter 7
CORPORATION, et. al.,	)	
(n/k/a PL LIQUIDATION CORP.),	)	Re Dkt Nos. 1653, 1654
	)	
	)	

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**NOTICE OF APPEAL PURSUANT TO  
FEDERAL RULE OF BANKRUPTCY PROCEDURE 8001 AND 28 U.S.C. SECTION 158(a)(1)**

Fleet Capital Corporation by and through their undersigned counsel, hereby appeals under 28 U.S.C. §158(a)(1) from the Order Granting in Part and Denying in Part the Motion of Fleet Capital Corporation, Agent, to Compel Trustee to Perform Under Settlement Agreement and Motion of Fleet Capital Corporation for Summary Judgment Granting Motion to Compel Trustee to Perform Under Settlement Agreement filed on October 17, 2007 [Docket No. 1654] (the "Order"), and the Memorandum Opinion Granting in Part and Denying in Part Appellant's Motion to Compel Trustee to Perform Under Settlement Agreement and Motion for Summary Judgment Granting Motion to Compel Trustee to Perform Under Settlement Agreement filed on October 17, 2007 [Docket No. 1653] (the "Memorandum").

The names of all parties to the Order and Memorandum appealed from, and the names, addresses and telephone numbers of their respective attorneys are as follows:

**Party**

Fleet Capital Corporation, Agent

**Counsel**

Stuart M. Brown (DE #4050)  
Edwards, Angell, Palmer & Dodge LLP  
919 N. Market Street, 15<sup>th</sup> Floor  
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(302) 777-7770 (telephone)  
(302) 777-7263 (fax)

William Brandt  
Chapter 7 Trustee

Eric D. Schwartz  
Daniel B. Butz  
Morris Nichols Arsht & Tunnell LLP  
1201 N. Market Street  
Wilmington, DE 19801

Charles R. Bennett, Jr.  
Andrew G. Lizotte  
Hanify & King  
Professional Corporation  
One Beacon Street  
Boston, MA 02108

U.S. Trustee

Office of the United States Trustee  
844 King Street, Room 2207  
Lockbox #35  
Wilmington, DE 19801

Dated: October 25, 2007

EDWARDS, ANGELL, PALMER & DODGE LLP

/s/ Stuart M. Brown  
Stuart M. Brown (#4050)  
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Counsel for Appellant  
Fleet Capital Corporation, Agent

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	Chapter 7
	)	
Plassein International Corporation, <i>et. al.</i> ,	)	Case No. 03-11489 (KG)
(n/k/a PL Liquidation Corp.),	)	
	)	Jointly Administered
Debtors.	)	
		<b>Re Dkt Nos. 1574, 1629 &amp; 1632</b>

**ORDER**

The Court having carefully considered the Motion of Fleet Capital Corporation, Agent, to Compel Trustee to Perform Under Settlement Agreement (D.I. 1574), Motion of Fleet Capital Corporation for Summary Judgment Granting Motion to Compel Trustee to Perform Under Settlement Agreement (D.I. 1629), (“the Motions”), the Trustee’s Memorandum in Opposition to the Motions (D.I. 1632), the related pleadings and documents, and having heard oral argument, for the reasons stated in the accompanying written opinion (“the Opinion”), IT IS ORDERED that the Motions are granted in part and denied in part, and more specifically as follows:

1. Fleet Capital Corporation’s (for itself and as agent) (“Fleet”) share of preference recoveries, after the Estate retains the first \$1.1 million of preference recoveries, is net of the Estate’s fees and expenses incurred in recovering the preference payments.
2. The Trustee is not required to reserve the \$270,000 escrow held to indemnify Fleet for claims of Exopack-Ontario, Inc.

3. Fleet is entitled to receive "Cash on Hand" only to the extent it is distributed to general unsecured creditors and on a *pari passu* basis with other unsecured creditors.

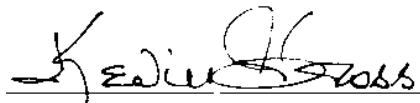
4. The Trustee shall pay to Fleet \$81,005.69 released by the San Bernadino taxing authority.

5. The Trustee shall pay to Fleet the recovery from Exopackaging, less fees and expenses incurred, and shall provide an accounting of such fees and expenses.

6. The Trustee shall account to Fleet for the fees and expenses incurred in the recovery of preference payments on a schedule the parties will negotiate.

7. The Trustee shall make the foregoing payments when he makes the next distribution to other unsecured creditors.

Dated: October 17, 2007

A handwritten signature in black ink, appearing to read "Kevin Gross", written over a horizontal line.

KEVIN GROSS, U.S.B.J.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

Clerk of the Court  
824 Market Street  
Wilmington DE 19801  
(302) 252-2900

Date: **November 26, 2007**

To: **Peter Dalleo, Clerk**  
**U. S. District Court**  
District of Delaware  
U. S. Courthouse - 844 King Street  
Wilmington DE 19801

Re: **Plassein International Corp**  
Case 03-11489  
Appeal BAP #07-100 et al

Enclosed please find the bankruptcy **Record on Appeal docket #1659, Order docket #1654**  
Appellant Fleet Capital Corp. **Designation of Items #1661**  
Appellee Plassein International **Designation not filed as of 11/26/07**

  X   Filing fee paid on 10/25/07 receipt #3094633

Filing fee not paid

Please acknowledge receipt on the copy provided.

Sincerely,

\_\_\_\_\_/s/\_\_\_\_\_  
\_\_\_\_\_

Betsy Magnuson

Deputy Clerk, U.S. Bankruptcy Court

I hereby acknowledge receipt of the above Record on Appeal this \_\_\_\_\_ day of \_\_\_\_\_,  
2007.

By: \_\_\_\_\_  
Deputy Clerk, U.S. District Court

**TRANSMITTAL SHEET FOR APPEAL SUBMITTED TO U.S. DISTRICT COURT**

**Plassein International Corp 03-11489**

Deputy Clerk Transferring Case: Betsy Magnuson (302) 252-2900 X5114

Case Type: Appeal **BAP 07-100**

**Appellant's**

**Counsel**

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**Appellee's**

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